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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,755	05/01/2001	Neil Hickey	0550862-0013	4469

7590

07/01/2004

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Boston, MA 02109

EXAMINER

BRANCOLINI, JOHN R

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,755

Applicant(s)

HICKEY, NEIL

Examiner

John R Brancolini

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-7 are pending in the application.

Priority

No claim for priority has been made. The effective filing date of the application is May 1, 2001.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation of claim 4 where "the host computer and the first client device are the same computer" and the limitation of claim 5 where "the shaper computer and the second client device are the same computer" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement

sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakayama et al. (US Patent 6081265), hereinafter referred to as Nakayama.

In regards to claim 1, Nakayama discloses a trainable system for providing a new client interface to an existing application, comprising:

- A shaper computer operating a trainable user interface translator application and further comprising and storing a shaper rule set and data packet format maps identifying data formats acceptable to a host application, and an auxiliary database for storing training data sets (Figure 2 shows an outline of the software

program, which is contained on a program server, the server including several sets of data tables containing rules for conversion of data, containing an auxiliary data storing table for storing other data conversion rules, see also col 3 line 36 – col 4 line 25 for an outline on the conversion data tables).

- A training terminal electrically connected to the shaper computer for establishing the shaper rule set and data packet format maps during a training session (the training terminal is contained in the same server, therefore being electrically connected to the shaper computer, as is seen in figure 2 several conversion modules are present for creation of the rule sets and data packet mappings).
- A host computer electrically connected to the shaper computer and a first client device operating first client software, the host computer operating the host application, thereby generating data streams to and from the first client software that may be monitored and analyzed by the shaper computer to establish the shaper rule set and data packet format maps (Figure 1 shows several display computers, A, B, and C, each of which serve as both a host computer running the host application, and a user client device, the host generating the streams of data to and from the first client software, see col 2 line 58 – col 3 line 12).
- A second client device electrically connected to the shaper computer upon which a new client interface is implemented (figure 1 shows multiple client devices).
- Wherein the shaper computer communicates user data between the new client interface and the host application, whereby the trainable user interface translator application remaps the user data according to the data packet format maps

defined during the training session and transmits the remapped user data to the second client device for presentation in the new client interface (the shaper computer can alter the formatting of the display data for multiple computers, col 3 line 20-35).

In regards to claim 2, Nakayama discloses one or more of the electrical connections are implemented on one or more networks (Figure one shows a communication network in which each electrical connection is implemented).

In regards to claim 3, Nakayama discloses one or more of the electrical connections are direct connections (Nakayama discloses that several components can be installed in the same computer, which would mean the electrical connections are inherently direct, col 2 line 49-57).

In regards to claim 4, Nakayama discloses the host computer and the first client device are the same computer (as seen in the discussion of claim 1, the host and first client are the same computer).

In regards to claim 5, Nakayama discloses the shaper computer and the second client device are the same computer (Nakayama discloses the components of the system can be installed on the same computer, which shows the second client and the shaper computer can be the same machine, col 2 line 49-57).

In regards to claim 7, Nakayama discloses a trained system comprising a shaper computer operating a trainable user interface translator application and storing data packet format maps, a training terminal electrically connected to the shaper computer, a host computer electrically connected to the shaper computer and a first client device, and operating a host application, thereby generating streams of data packets to and from the first client device, and a second client device electrically connected to the shaper computer, a method of using the trained system for providing a new client interface to the host application (these limitations seen in claim 1 discussion), comprising the steps of:

- Designing and implementing a new client interface on the second client device s second device display can be create in the same manner as a first client display, col 3 lines 12-19).
- Starting via the training terminal the trainable user interface translator application (each computer has access to the program on the program server as seen in figure 1).
- Operating the second client device to communicate with the host application via the shaper computer, which remaps data packets transmitted from the host application according to the data packet format maps and forwarding remapped data packets to the second client device for presentation in the new client interface (the data can be remapped from previous client interfaces through the shaper computer to a second client, col 3 lines 20-35 for an example).

- Determining whether to continue using the new client interface, and if so, reverting to the previous step ((the remapping can be done until a suitable format is found, see col 3 lines 25-35 for an example).

Allowable Subject Matter

Claim 6 is allowed.

The following is a statement of reasons for the indication of allowable subject matter: Claim 6 is unique over the prior arts of record for combining modifying data packets according to the packet maps and transferring the modified data packets to the host computer, as well as including the limitation of repeating the method steps with data expected to create exceptions and errors.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Halabieh (US Patent 6564170), a system of monitoring data streams to form custom user interfaces.
- Burge et al. (US Patent 6014638), a system for customizing displays in accordance with previous user specifications.
- Hickey et al. (US Patent 5889516), a trainable user interface that allows conversion of a program running on a host computer to be remapped for use on a client.

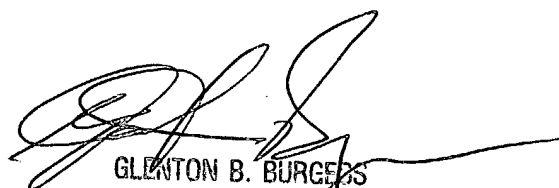
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R Brancolini whose telephone number is (703) 305-7107. The examiner can normally be reached on M-Th 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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